IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

APPEAL NO.804 OF 2005
IN
CHAMBER SUMMONS NO.1720 OF 2004
IN
SUIT NO.1299 OF 2002

Smt.Kamibai Premji Solanki — Appellant
vs.
Shri Bhavarlal Nihalchand Jain & ors. — Respondents

Mr.K.K.Jadhav for the appellant.

Mr.Y.S.Thakur i/b.M/s.Lalit Jain for the respondents.

CORAM : R.M. LODHA &
D.G. KARNIK, JJ.

DATED : 17th November 2005

P.C.

After having heard the learned counsel for the appellant, we are of the view that since the appellant did not appear before the learned Chamber Judge on the date the impugned order came to be passed, it would be in the interest of justice if liberty is granted to the appellant to move the learned Chamber Judge for recalling the order dated June 6, 2005 and consideration of the Chamber Summons No.1720/2004 on merits after hearing her.

2. We, accordingly, grant liberty to the appellant to apply to the learned Chamber Judge for recalling the order dated June 6, 2005 and for consideration of

Chamber Summons No.1720/2004 afresh after hearing the appellant.

3. The appeal is disposed of with the aforesaid observation.

(R.M.LODHA, J.)

(D. G. KARNIK, J.)